

IN THE CLAIMS

The following is a complete listing of the claims, and replaces all earlier versions and listings.

1. (Currently Amended) A kitchen bench or cooktop safety guard system adapted for prevention of accidental urged dislodgment of an article or liquid over ~~[[an]]~~ a leading edge of a fixed horizontal surface, ~~said fixed horizontal surface comprising a~~ of said kitchen bench ~~[[top]] or [[a]] cooktop,~~ said guard system comprising:

a rail adapted for alignment at said leading edge and for affixing to said surface, wherein said rail has a base and side walls extending vertically above the base a certain distance, thereby to present a substantially vertically oriented slot for vertical slidable engagement of a guard member therein, said distance being such that said slot is of such depth that horizontal forward and backward disengagement of said guard member is precluded,

said guard member being of substantially rectangular cross section in both longitudinal and lateral directions, and said guard member adapted for substantially vertical engagement and disengagement with respect to said slot or said rail,

wherein a height and a material of said guard member are is of such material and height that, when in use, said guard member acts as a physical and visual barrier to objects on a far side of said guard member when viewed from a height similar to or lower than the height of the horizontal surface to a child but not to an adult, wherein the child is approximately 41 inches or less in height, and

wherein said material is opaque, and said guard is demountable said guard member is opaque.

2. (Canceled)

3. (Currently Amended) The safety guard system of claim 1, wherein said guard member comprises a substantially vertical elongate rectangular member having an outwardly facing surface and an inwardly facing surface bounded by edges, extending along at least a portion of an edge of said fixed horizontal surface.

4. (Currently Amended) The safety guard system of claim 3, wherein said edge is any edge of said surface from which said article or liquid can fall or spill when urged to within sufficiently close proximity of said edge.

5. (Canceled)

6. (Canceled)

7. (Currently Amended) The safety guard system of claim 1, wherein said guard member is adapted to be inserted into a guard retaining means attached to said surface.

8. (Currently Amended) The safety guard system of claim 7, wherein said retaining means is in the form of a channel, said channel adapted to be attached to said surface.

9. (Currently Amended) The safety guard system of claim 8, wherein said channel is attached to said surface by attachment means including one of:

- a. ~~an applied~~ a liquid adhesive;
- b. a double sided adhesive tape; and
- c. mechanical means including screws[[,]] and rivets ~~and the like~~.

10. (Canceled)

11. (Currently Amended) The safety guard system of claim 1, wherein said guard member and said guard retaining means are formed of metallic materials.

12. (Currently Amended) The safety guard system of claim 1, wherein said guard member and said guard retaining means are formed of non-metallic materials.

13. (Currently Amended) The safety guard system of claim 1, wherein said guard and said guard retaining means are formed of a combination of metallic and non-metallic materials.

14. (Currently Amended) A method for the prevention of the accidental urged dislodgement of an article or liquid over an edge of a fixed horizontal surface, said method comprising:

providing a guard member disposed along at least a portion of said edge of said surface, said edge being a leading edge, said guard member being made of an opaque material and extending a sufficient height above said surface thereby defining a physical and visual barrier to objects on a far side of said guard member ~~when viewed from a height similar to or lower~~

~~than the height of the horizontal surface to a child but not to an adult, wherein the child is approximately 41 inches or less in height.~~

15. (Canceled)

16. (Currently Amended) A method of providing a safety guard member for an edge of a fixed horizontal surface, comprising:

selecting a height and material of said guard member so that when in use, said guard member acts as a physical and visual barrier to objects on a far side of said guard member ~~when viewed from a height similar to or lower than the height of the horizontal surface to a child but not to an adult, wherein the child is approximately 41 inches or less in height;~~ and

providing said guard member such that said guard member is demountably retained in a channel fixed along a leading edge of said surface, ~~wherein said channel has a base and side walls extending vertically above the base a certain distance, thereby to present a substantially vertically oriented slot for vertical slidable engagement of said guard member therein, said distance being such that the slot is of such depth that horizontal forward and backward disengagement of said engaged guard member is precluded.~~

17. (Canceled)

18. (Canceled)

19. (Currently Amended) A guard system for preventing accidental urged dislodgement of an article or liquid over a leading edge of a fixed horizontal surface, said guard system comprising:

a rail adapted for alignment at said leading edge and for affixing to said surface, wherein said rail has a base and side walls extending vertically above the base a certain distance, thereby to present a substantially vertically oriented slot for vertical slidable engagement of a guard member therein, said distance being such that the slot is of such depth that horizontal forward and backward disengagement of said guard member is precluded,

said guard member of substantially rectangular cross section in both longitudinal and lateral directions, and said guard member adapted for substantially vertical engagement and disengagement with respect to said slot or said rail, wherein a height and a material of said guard member is selected so that when in use, said guard member acts as a physical and/or visual barrier to objects on a far side of said guard member ~~when viewed from a height similar to or lower than the height of the horizontal surface~~ to a child but not to an adult wherein the child is approximately 41 inches or less in height.

20. (Currently Amended) The guard member of Claim 19, wherein the material of said guard member is such that said guard member acts as a visual barrier when installed on said surface to visualization of objects on the far side of said guard member ~~when viewed from a height similar to or lower than the height of the horizontal surface~~ to a child but not to an adult.

21. (Previously Presented) A method of minimizing accidental urged dislodgement of an article or liquid from a surface relative to an edge thereof, said method comprising providing the guard member of Claim 19 as a kit of component parts.

22. (Currently Amended) The method of Claim 21, wherein said component parts comprise a rail having a slot therein and a substantially opaque guard member for vertical reception in said slot.

23. (Cancelled)

24. (Cancelled)

25. (Currently Amended) A safety guard adapted for prevention of accidental dislodgment of an article or liquid over an edge of a fixed horizontal surface, wherein said guard is demountable and said guard is of such [[a]] height and [[a]] material of said guard are selected so that when in use, said guard acts as a visual barrier to objects on a far side of said guard ~~from a height similar to or lower than the height of the horizontal surface~~ to a child but not to an adult, wherein the child is approximately 41 inches or less in height.

26. (Currently Amended) A guard system for preventing accidental dislodgement of an article or liquid over a front edge of a fixed horizontal surface of a kitchen bench or cook top, comprising:

a plurality of guard members, each having a different height; and

a rail aligned at the front edge and affixed to the horizontal surface, wherein said rail has a base and side walls extending vertically above the base a certain distance, thereby to present a substantially vertically oriented slot for vertical slidable engagement of a selected guard member therein, said distance being such that the slot is of such depth that horizontal forward and backward disengagement of the selected guard member is precluded,

wherein each guard member is of substantially rectangular cross section in both longitudinal and lateral directions, and each guard member is adapted for substantially vertical engagement and disengagement with respect to the slot, and

wherein the selected guard member is selectable based on the height and material thereof such that when engaged in the slot, the selected guard member acts as a physical and visual barrier to objects on a far side of the guard member ~~when viewed from a height similar to or lower than the height of the horizontal surface~~ to a child but not to an adult, wherein the child is approximately 41 inches or less in height.

27. (New) The safety guard of claim 8, wherein said channel is attached to said surface by attachment means including a liquid adhesive.

28. (New) The safety guard of claim 8, wherein said channel is attached to said surface by attachment means including a double sided adhesive tape.

29. (New) The safety guard of claim 8, wherein said channel is attached to said surface by attachment means including mechanical means including screws and rivets.